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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/723,682

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Marc Brian Wisnudel

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11/06/2006

GENERAL ELECTRIC COMPANY
GLOBAL RESEARCH
PATENT DOCKET RM. BLDG. K1-4A59
NISKAYUNA, NY 12309

EXAMINER

HINDI, NABIL Z

ART UNIT

PAPER NUMBER

2627

DATE MAILED: 11/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/723,682	Applicant(s) WISNUDEL ET AL.	
	Examiner NABIL Z. HINDI	Art Unit 2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-26, 28 and 29 is/are rejected.
- 7) ☒ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) 5 and 27 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 6-26, 28 and 29 are rejected under 35 U.S.C. 102(b) as being by anticipated by Tompkin et al (5875170)

The claims merely read on having key data (signatures) on a disk to prevent piracy being read by a light beam. The reference shows an optical disc having plurality of signature patterns 2, each of the pattern is read by an optical beam 10 and detected by a photo detection elements 6. the intensity level is compared in order to determine the authenticity of the disk as cited in column 3 lines 1-18 and column 4 lines 1-17. The disk structure having a substrate 16, a reflection layer 18, signature pattern 20 and data layer.

With respect to the limitations of claims 2-4. The reference shows the use of features within a disk substrate as shown in figs 5 and 7.

With respect to the limitations of claims 6 and 7. The reference shows the use of pattern that includes a certain intensity level as cited in column 4 lines 1-17.

With respect to the limitations of claims 8-10 and 13. The reference shows features 20 having a specific location and address as cited in column 4 lines 46-68.

With respect to the limitations of claims 11 and 12 see figs 3 and 8-10.

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With respect to the limitation of claim 14. As far as the address data cited in column 4 lines 45-68 each pattern represent a one of zero with different reflectivity.

With respect to the limitation of claim 15, as far as the "color" is shown in fig 6 having the color of T as the substrate color of 17.

With respect to the limitation of claim 17. The reference reads the signature pattern 20 and converts it to a digital representation.

With respect to the limitation of claim 18. the "memory" is interpreted as part of the disk structure.

With respect to the limitation of claim 19. The visual pattern is well established in the art as cited in applicant's own prior art and as far as the examiner can interpret the claimed invention. The pattern cited in the reference as visually visible.

With respect to the limitation of claim 22 and 23. The pattern is optical read from the disk and processed based on a modulation rule.

With respect to the limitations of claims 24-26 and 29. The reference is drawn to a different pattern on the disk as shown in figs 4, 6, 8-10. Each having different optical features that is compared to indicate an authentic disk meeting the claimed invention.


Claims 5, and 27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

None of the cited prior art shows or teaches an optical disk wherein the "signature" pattern includes a location of another signature pattern nor the creature of correctable error as claimed.

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. 6786954 and EP 1217356.

Any inquiry concerning this communication should be directed to NABIL Z. HINDI at telephone number (571) 272-7618.



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